

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARTURO ESTEVEZ, *Individually, and On Behalf of*
All Others Similarly Situated,

Plaintiff, :

1:21-cv-8999-GHW

ORDER

-v -

SHAMUS & PEABODY, LLC,

Defendant. :

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GREGORY H. WOODS, United States District Judge:

This case was filed on November 2, 2021. Dkt. No. 1. Since then, Plaintiff has done very little to prosecute this action. On January 21, 2022, Judge Netburn ordered that Plaintiff file any motion for default judgment no later than March 6, 2022. Dkt. No. 9. Plaintiff failed to meet that deadline. Judge Netburn reminded Plaintiff of his obligations to prosecute this action in an order issued on March 15, 2022. Dkt. No. 10. In that order, Judge Netburn ordered that any motion for default judgment be filed by March 23, 2022. Plaintiff failed to meet that deadline. On March 23, 2022, Plaintiff took the very first step toward an application for default judgment by requesting and obtaining a certificate of default. Dkt. No. 13. But Plaintiff did not move for default judgment by the date ordered by Judge Netburn.

The Court expects that any application for the issuance of an order to show cause for the entry of default judgment in this case will be filed no later than April 28, 2022. Plaintiff is ordered to ensure that any such application comply fully with the requirements of Section 3(G) of the Court's Individual Rules of Practice in Civil Cases.

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If Plaintiff fails to file a timely and complete application for the issuance of an order to show cause, the Court expects that it will dismiss this action pursuant to Federal Rule of Civil Procedure 41(b) or Federal Rule of Civil Procedure 16(f), given that it will represent the Plaintiff's third failure to meet a court-ordered deadline in this case.

SO ORDERED.

Dated: April 14, 2022
New York, New York



GREGORY H. WOODS
United States District Judge